

Docket No.: 242751US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/660,605

Applicants: Joichiro EZAKI, et al.

Filing Date: September 12, 2003

For: MAGNETORESISTIVE EFFECT ELEMENT,
MAGNETIC MEMORY DEVICE AND METHOD OF
FABRICATING THE SAME

Group Art Unit: 2824

Examiner: DINH, SON T.

SIR:

Attached hereto for filing are the following papers:

PETITION UNDER 37 C.F.R. § 1.181,

**Copies of Information Disclosure Statement, Form PTO 1449, European Search Report, Cited
Reference (1) and Date Stamped Filing Receipt (as filed on September 30, 2004)**

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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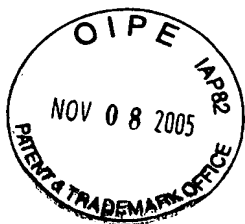
Customer Number

22850

(703) 413-3000 (phone)

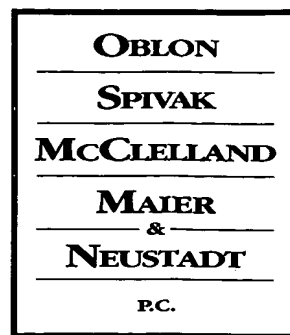
(703) 413-2220 (fax)

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SIR:

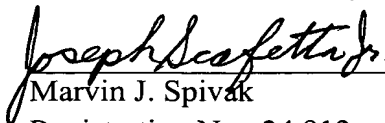
Attached hereto for filing are the following papers:

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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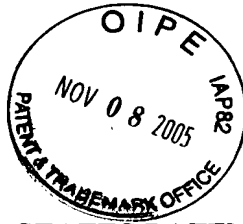
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DOCKET NO: 242751US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JOICHIRO EZAKI, ET AL. : EXAMINER: DINH, SON T.
SERIAL NO: 10/660,605 :
FILED: SEPTEMBER 12, 2003 : GROUP ART UNIT: 2824
FOR: MAGNETORESISTIVE EFFECT :
ELEMENT, MAGNETIC MEMORY
DEVICE AND METHOD OF
FABRICATING THE SAME

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The Examiner's Statement of Reasons for Allowance included at page 3 of the
outstanding Office Action states:

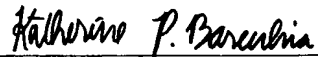
The prior art of record fail to teach or suggest a
magnetoresistive memory device comprising a laminated body
including a magnetoresistive layer ... an annular magnetic layer
arranged at a side of one face of the laminated body to
constitute an axial direction by a direction along the laminated
bode layer face, and a plurality of lead wires penetrating the
annular magnetic layer.

Applicants note that the "magnetoresistive layer" is not recited in the independent
claims. Similarly, "the laminated bode layer face" is not recited in the independent claims.
Additionally, Claim 14 does not include the feature that "a plurality of lead wires penetrating
the annular magnetic layer."

Accordingly, it is respectfully requested that a revised Statement of Reasons for Allowance be issued without reference to the subject matter not recited in the claims.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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Dept.: E/M

By: GJM/KPB/pja

OSMM&N File No. 242751US2

Serial No. 10/660,605

In the matter of the Application of: Joichiro EZAKI, et al.

For: MAGNETORESISTIVE EFFECT ELEMENT, MAGNETIC MEMORY
DEVICE AND METHOD OF FABRICATING THE SAME

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon

- Dep. Acct. Order Form
 - Cover Letter
 - Petition under 37 C.F.R. § 1.181
 - Copies of Information Disclosure Statement, Form PTO 1449, European Search Report, Cited Reference (1) and Date Stamped Filing Receipt (as filed on September 2004)
- I:\ATTY\KDP\24'S\242751US\242751US PETITION FR 10.12.05.DOC

